

JOURNAL OF THE SENATE [June 29, 1965]

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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TUESDAY, June 29, 1965.

10:00 oclock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Dr. E. Duane Hulse.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—33.

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Upon motion of Senator Knowles, with unanimous consent, the senate resolved to suspend that part of Senate Rule 1 relating to the wearing of coats in the chamber, due to the hot weather, for the remainder of the sessions during the last 2 days of June and the month of July.

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### INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to substitute amendment No. 1, S. to **Senate Bill 42** was offered by Senator Leonard.

Substitute amendment No. 1, S. to **Senate Bill 51** was offered by Senator Keppler.

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Amendment No. 1, S. to **Senate Bill 378** was offered by Senator Miller.

Amendment No. 1, S. to **Senate Bill 379** was offered by Senator Miller.

Amendment No. 1, S. to **Senate Bill 463** was offered by Senator Schuele.

Amendment No. 1, S. to **Senate Bill 464** was offered by Senator Schuele.

Amendment No. 1, S. to **Senate Bill 525** was offered by Senator Knowles.

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### RESOLUTIONS INTRODUCED

#### **Senate Joint Resolution 82**

A joint resolution commending and thanking retiring Chief State Highway Engineer, Emmons L. Roettiger, for 43 years of dedicated and responsible service in the Wisconsin Highway Commission.

By Entire Membership of the Senate.

The joint resolution was considered at this time, upon motion of Senator Miller, with unanimous consent.

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

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### PETITIONS AND COMMUNICATIONS

#### **Senate Petition 59**

By Senator Krueger. To committee on Agriculture

#### **Senate Petition 60**

By Senator Roseleip. To committee on Education.

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### COMMITTEE REPORTS

The committee on Conservation reports and recommends:

#### **Assembly Joint Resolution 43**

Concurrence; Ayes, 4; Noes, 0.

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**Assembly Joint Resolution 69**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 73**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 250**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 251**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 320**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 333**  
Concurrence; Ayes, 4; Noes, 0.

**Assembly Bill 378**  
Concurrence; Ayes, 4; Noes, 0.

**CLIFFORD W. KRUEGER,**  
Chairman.

The committee on Judiciary reports and recommends:

**Assembly Bill 305**  
Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and concurrence as amended; Ayes, 5; Noes, 0.

**Assembly Bill 319**  
Concurrence; Ayes, 5; Noes, 0.

**Assembly Bill 375**  
Concurrence; Ayes, 5; Noes, 0.

**ALLEN J. BUSBY,**  
Chairman.

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

The appointment by the Governor of Arthur B. Adams, of Beloit, a member of the Banking Review Board, to succeed Edward J. Ruetz, for the term ending the 1st Monday in January, 1969.

Confirmation; Ayes, 5; Noes, 0.

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The appointment by the Governor of John A. Puelicher, of Milwaukee, a member of the Banking Review Board, to succeed himself, for the term ending the 1st Monday in January, 1970.

Confirmation; Ayes, 5; Noes, 0.

### **Senate Bill 64**

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 4; Noes, 1.

### **Senate Bill 189**

Indefinite postponement; Ayes, 5; Noes, 0.

### **Senate Bill 308**

Passage; Ayes, 5; Noes, 0.

### **Senate Bill 341**

Indefinite postponement; Ayes, 5; Noes, 0.

### **Senate Bill 356**

Passage; Ayes, 3; Noes, 2.

### **Senate Bill 387**

Adoption of substitute amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

### **Senate Bill 417**

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 3; Noes, 2.

### **Senate Bill 424**

Indefinite postponement; Ayes, 5; Noes, 0.

### **Senate Bill 439**

Passage; Ayes, 4; Noes, 1.

### **Senate Bill 474**

Indefinite postponement; Ayes, 3; Noes, 2.

### **Senate Bill 483**

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

### **Assembly Bill 610**

Concurrence; Ayes, 5; Noes, 0.

### **Assembly Bill 629**

Nonconcurrence; Ayes, 5; Noes, 0.

GERALD D. LORGE,  
Chairman.

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## EXECUTIVE COMMUNICATIONS

To the Honorable, the Senate:

The following bill, originating in the senate, has been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
250 -----	134 -----	June 25, 1965

Respectfully submitted,

WARREN P. KNOWLES,

June 25, 1965.

Governor.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Robert E. Stahl, of Kenosha, a member of the Wisconsin Real Estate Brokers' Board, to succeed Howard J. Meister, for the term ending July 12, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

June 25, 1965.

Governor.

The foregoing appointment by the Governor was referred to the committee on Labor, Taxation, Insurance and Banking.

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## MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in

Assembly Bill 707 and has

Adopted and asks concurrence in

Assembly Joint Resolution 76 and

The action by which the assembly, upon motion of Assemblymen Warren, Brown, Kessler and Stalbaum, pursuant to Joint Rule 26, has directed the Legislative Reference

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Bureau to prepare a suitable joint certificate of Sympathy and offer condolences to Mrs. Oscar M. Jonas, 12610 Loomis Road, Wind Lake, Wisconsin upon the occasion of Oscar M. Jonas, a man of limited education but great natural talent, former director of Internal Revenue of Wisconsin, 1951 to 1954, veteran of both first and second World Wars, retiring with rank of Lieutenant Colonel, and outstanding citizens most concerned with matters of public interest passed away on June 11, 1965, and

The action by which the assembly, upon motion of Assemblymen Steiger and Shurbert, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Miss Sharon Singstock upon the occasion of a 20 year old honey blonde from Oshkosh, has been chosen MISS WISCONSIN for 1965, and Whereas, Miss Singstock, who won both her group's talent contest and preliminary swimsuit competition, plans a future career as a social worker, we extend to Miss Singstock our best wishes for the forthcoming Miss America competition in Atlantic City, New Jersey, and

The action by which the assembly, upon motion of Assemblyman Galli, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to the Village of New Glarus on the occasion of their 120th anniversary of its founding; in August of 1845 a group of 108 colonists, having escaped the ravages of famine in the Canton of Glarus, Switzerland, settled in Green County, Wisconsin, and founded the Village of New Glarus; and Whereas, said Village of New Glarus now celebrates the 120th anniversary of its founding with justifiable pride in its accomplishments over these 6-score years, having developed into one of the most progressive business communities in this state and yet retained that quaintness which reflects the culture of the homeland of the Swiss immigrants, and has

Amended and concurred in as amended  
Senate Bill 165 and has

Concurred in

The senate action, upon motion of N. C. Anderson, pursuant to Joint Rule 26, directing the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Judge James E. Doyle of Madison on the occasion

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of his taking the oath of office as the 6th Federal District Judge for the Western District of Wisconsin; and to wish him a long and successful tenure on the bench.

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### ASSEMBLY MESSAGE CONSIDERED

The assembly's action under Joint Rule 26, pursuant to motion by Assemblymen Warren, Brown, Kessler and Stalbaum was concurred in, upon the joint motion of Senators Benson, Dorman and McParland.

The assembly's action under Joint Rule 26, pursuant to motion by Assemblymen Steiger and Shurbert, was concurred in, upon motion of Senator Draheim.

The assembly's action under Joint Rule 26, pursuant to motion by Assemblyman Galli, was concurred in, upon motion of Senator Roseleip.

The senate's action on the foregoing three motions was ordered immediately messaged to the assembly.

Read first time and referred:

**Assembly Joint Resolution 76**

To committee on Judiciary.

**Assembly Bill 707**

Read first time.

The bill was considered at this time, upon motion of Senator Hollander, with unanimous consent.

Read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 707**

To exclude certain moneys earned under Titles I and II of the federal economic opportunity act of 1964 in considering income for persons receiving aid to the blind, aid to dependent children, old-age assistance and aid to totally and permanently disabled persons.

Was read a third time.

The question was: Shall the bill be concurred in?

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The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, H a n s e n , Hollander, Kendziorski, Keppler, Knowles, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Ras-musen, Risser, Roseleip, Schreiber, Schuele, Smith, Suss-man, Thompson, Warren and Zaborski—32.

Noes—None.

Absent or not voting—Senator Krueger—1.

So the bill was concurred in.

Ordered immediately messaged to the assembly.

### Senate Bill 165

Was referred to the calendar.

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## MOTIONS

Senator Hollander moved that under Joint Rule 26 the Legislative Reference Bureau be directed to prepare a certificate of Congratulations to Miss Kathy Kenas, Route #2, Brandon, Wisconsin a resident of the Town of Spring-vale, Fond du Lac County upon the occasion of her being named Alice in Dairyland for 1965-66, at Sun Prairie, Wis-consin on June 26, 1965.

The foregoing motion was read and adopted.

The senate's action was ordered immediately messaged to the assembly.

WHEREAS, Badger Boys State, Inc., is organized by the American Legion Department of Wisconsin for the purpose of presenting to the boys of Wisconsin the duties, privileges and responsibilities of citizenship through active participa-tion in the operation of government to acquaint the boys of this state with the functions of government in a democ-racy; now, therefore,

The Members of the Wisconsin Legislature, on the mo-tion of Senators Gordon W. Roseleip, Robert P. Knowles, Martin J. Schreiber and Richard J. Zaborski; co-sponsored by Assemblymen Harold W. Clemens, Robert T. Huber, Norman L. Myhra and William A. Steiger, under Joint Rule



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26, congratulate The American Legion Department of Wisconsin on their public spirit in conducting the annual Badger Boys State program.

The Legislative Reference Bureau to prepare said certificate.

The foregoing motion was read and adopted.

The senate's action was ordered immediately messaged to the assembly.

WHEREAS, Badger Girls State, Inc., is organized by the American Legion Auxiliary Department of Wisconsin for the purpose of presenting to the girls of Wisconsin the duties, privileges and responsibilities of citizenship through active participation in the operation of government in cooperation with the department of political science, University of Wisconsin Extension Division, to acquaint the girls of this state with the functions of government in a democracy; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senators Gordon W. Roseleip, Charles F. Smith, Jr., Leland S. McParland, Taylor Benson; co-sponsored by Assemblymen Paul R. Alfonsi, Robert D. Haase, Kenneth Kunde and Frank L. Nikolay under Joint Rule 26, congratulate the American Legion Auxiliary of Wisconsin on their public spirit in conducting the annual Badger Girls State program.

The Legislative Reference Bureau to prepare said certificate.

The foregoing motion was read and adopted.

The senate's action was ordered immediately messaged to the assembly.

### Senate Bill 360

Senator Schreiber asked unanimous consent that the bill be recalled from the committee on Public Welfare and referred to the calendar.

Senator Dempsey objected.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 11:15 o'clock this morning.

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## RECESS

11:15 o'clock A.M.

The senate was called to order by the president.

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## MOTIONS, CONTINUED

### Senate Joint Resolution 76

The joint resolution was recalled from the committee on Conservation and referred to the joint committee on Finance, upon motion of Senator Krueger, with unanimous consent.

The joint resolution was recalled from the joint committee on Finance and considered at this time, upon motion of Senator Krueger, with unanimous consent.

Was read.

### Senate Joint Resolution 76

A joint resolution relating to the approval of project No. S. 546 of the Conservation Commission.

The question was: Shall the joint resolution be adopted?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Noes—None.

Absent or not voting—Senator Miller—1.

So the joint resolution was adopted.

Ordered immediately messaged to the assembly.

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## SPECIAL ORDER

Senator Sussman called the attention of the senate to the Special Order which had been fixed for 10:00 o'clock this morning and to the fact that that hour had arrived.

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The senate proceeded to consider

### Senate Bill 314

Which had been made the Special Order.

### Senate Bill 314

Relating to the creation, membership, powers and duties of an internship commission, and fees for pharmacy licenses and permits.

Was read a second time.

The bill was made a Special Order for 9:00 o'clock tomorrow morning, upon motion of Senator Zaborski, with unanimous consent.

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## CALENDAR OF TUESDAY, JUNE 22nd CONSIDERATION OF MOTIONS

### Senate Joint Resolution 66

The question was: Shall the vote by which substitute amendment No. 1, S. was rejected, be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 3; as follows:

Ayes—Senators Bice, Christopherson, Dorman, Hansen, Keppler, Knowles, Leonard, McParland, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Zaborski and Mr. President—16.

Noes—Senators Busby, Carr, Dempsey, Draheim, Hollander, Kendziorski, Krueger, LaFave, Leverich, Lourigan, Meunier, Panzer, Rasmusen, Roseleip and Warren—15.

Absent or not voting—Senators Benson, Lorge and Miller—3.

So the question was decided in the affirmative.

### Senate Joint Resolution 66

The question was: Shall substitute amendment No. 1, S. be rejected?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 2; as follows:

Ayes—Senators Busby, Dempsey, Draheim, Hollander, Kendziorski, Krueger, LaFave, Leverich, Lourigan, Meunier, Panzer, Roseleip and Warren—13.

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Noes—Senators Benson, Bice, Carr, Christopherson, Dorman, Hansen, Keppler, Knowles, Leonard, McParland, Rasmussen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson and Zaborski—18.

Absent or Not Voting—Senators Lorge and Miller—2.

So the senate refused to reject substitute amendment No. 1, S.

Substitute amendment No. 1, S. was adopted.

### Senate Joint Resolution 66

A joint resolution relating to the Joint Rules of the Legislature and co-sponsoring of bills and joint resolutions by members of both houses.

The question was: Shall the joint resolution be adopted?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Keppler, Knowles, Leonard, Lorge, McParland, Rasmussen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—23.

Noes—Senators Busby, Kendzierski, Krueger, LaFave, Leverich, Lourigan, Meunier, Panzer and Roseleip—9.

Absent or not voting—Senator Miller—1.

So the joint resolution was adopted.

Ordered immediately messaged to the assembly.

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## MOTIONS

Upon motion of Senator Knowles, with unanimous consent, the senate resolved to adjourn today in honor of Senator J. Earl Leverich, in recognition of his having been selected Man of the Month by the Wisconsin Towns Association, for having served as a town official for fifty-one years.

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## RULING OF THE CHAIR ON POINT OF ORDER RELATIVE TO SENATE BILL 144

On June 16, Senator Risser raised a point of order that an emergency clause can be attached to a bill only by the Governor or the joint committee on Finance.

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Section 16.47 (2) specifically provides that no bill affecting the general fund shall be passed by either house until the general fund budget bill has passed both houses except when the governor or the joint committee on Finance may recommend such bill and shall declare that it is an emergency bill. The specific language of the statute leaves no room for an interpretation that an emergency clause may be attached to a bill except upon the recommendation of the governor or the joint committee on Finance.

The point of order is well taken.

PATRICK J. LUCEY,  
President of the Senate.

### Senate Bill 144

The bill was referred to the joint committee on Finance, upon motion of Senator Zaborski, with unanimous consent.

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Upon motion of Senator Hollander, with unanimous consent, the senate returned to the 7th order of business.

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## COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

### Senate Bill —

Relating to the extension of the filing date for merit increases in the 1965-66 fiscal year.

Introduction; Ayes, 12; Noes, 0.

WALTER G. HOLLANDER,  
Chairman.

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## BILLS INTRODUCED

### Senate Bill 554

By joint committee on Finance.

Read first time.

The bill was referred to the joint committee on Finance, upon motion of Senator Hollander, with unanimous consent.

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The bill was recalled from the joint committee on Finance and considered at this time, upon motion of Senator Hollander, with unanimous consent.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Hollander, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 554

Relating to the extension of the filing date for merit increases in the 1965-66 fiscal year.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 27; noes, 3; absent or not voting, 3; as follows:

Ayes—Senators Bice, Busby, Carr, Christopherson, Dorman, Draheim, Hansen, Hollander, Kendziorski, Knowles, Krueger, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—27.

Noes—Senators Dempsey, Keppler and LaFave—3.

Absent or not voting—Senators Benson, Leonard and Miller—3.

So the bill passed.

Ordered immediately messaged to the assembly.

The committee on Education reports and recommends:

### Assembly Bill 604

Concurrence; Ayes, 5; Noes, 0.

PETER P. CARR,  
Chairman.

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## GUESTS INTRODUCED

Senator Benson introduced to the senate Mrs. Ruth Hill, Democratic Committeewoman from Caledonia first precinct, Caledonia, Racine County, Wisconsin.

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Mr. and Mrs. Gregory Lucey, parents of Lieutenant Governor of this state, and Mr. and Mrs. Michael Degnan, relatives of Patrick J. Lucey, the Lieutenant Governor, were introduced to the senate by Senator Bice.

Senator Thompson introduced to the senate Mr. Karthur Nitsch, of Indianapolis, Indiana, and Mr. Charles Anderson, of Galva, Illinois.

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Upon motion of Senator Knowles, and in honor of Senator Leverich, the senate adjourned until 9:00 o'clock, Wednesday morning, June 30, 1965.

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### CHIEF CLERK'S REPORT

The chief clerk records:

**Senate Joint Resolution 38**

Correctly enrolled on Monday, June 28, 1965.

And records:

**Senate Bill 361**

Was correctly enrolled and presented to the Governor Tuesday at 9:45 A.M., June 29, 1965.

And records:

**Senate Joint Resolution 66**

Correctly engrossed on Tuesday, June 29, 1965.